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Our File No. 7066-1-CIP3-CON

Serial No.: 10/613,777

Filed: July 2, 2003

Entitled: DEVICE AND METHOD FOR TRANSFERRING FORCE TO A TARGETED OBJECT

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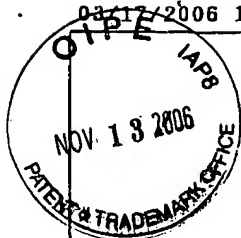
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Our File No.

7066-1-CIP3-CON

Serial No.: 10/613,777

Filed: July 2, 2003

Entitled: DEVICE AND METHOD FOR TRANSFERRING FORCE TO A TARGETED
OBJECT



11/13/2006 11:38 FAX 3038630223

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November 13, 2006

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Our File No.

7066-1-CIP3-CON

Serial No.: 10/613,777

Filed: February 2, 2004

Entitled: SLIDE HAMMER

Documents Filed:

1. Issue Fee Transmittal

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

LOWTHER

Serial No.: 10/613,777

Filing Date: July 2, 2003

Atty. File No.: 7066-1-CIP3-CON

For: "DEVICE AND METHOD FOR
TRANSFERRING FORCE TO A
TARGETED OBJECT"

PETITION FOR REFUND OF PETITION TO
REVIVE FEE CHARGED TO DEPOSIT
ACCOUNT NO. 19-1970

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the correspondence is being facsimile transmitted to the
U.S. Patent and Trademark Office (Fax No. 571.273.8300) on March 17,
2006.

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Typed or printed name of person signing this certification:
Corina K. Aschenbrenner

Signature: Corina K. Aschenbrenner

Dear Sir:

Applicant hereby petitions the Director under Rule 1.181 and Rule 1.264 for a refund in the amount of \$750.00 that was charged to Deposit Account No. 19-1970 for a Petition to Revive. Enclosed herewith is a Decision on the Petition filed September 28, 2005, to withdraw the holding of abandonment of the above-identified application. The Petition to Revive was granted under Rule 1.137(b). However, the large entity Petition fee in the amount of \$1,500.00 was charged to Deposit Account No. 19-1970. Applicant is a small entity, and small entity was originally established in the application. Enclosed herewith is a copy of the Filing Receipt for the above application showing the small entity status.

Therefore, it is respectfully requested that the Director refund \$750.00 to Deposit Account No. 19-1970, which is the excess of that required for a Petition to Revive an Unintentionally Abandoned Application (Rule 1.17(m)) for small entity.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Brent P. Johnson

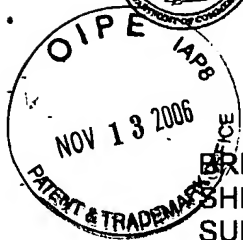
Brent P. Johnson
Registration No. 38,031
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 3/17/06



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OFFICE OF PETITIONS

In re Application of
John K. Lowther
Application No. 10/613,777
Filed: February 2, 2004
Attorney Docket No: 7066-1-CIP3-CON

ON PETITION

This is a decision on the petition filed September 28, 2005, to withdraw the holding of abandonment under 37 CFR 1.181, or in the alternative, to revive the above identified application under 37 CFR 1.137(b).¹

The petition to withdraw the holding of abandonment is **DISMISSED**.
The petition to revive under 37 CFR 1.137(b) is **GRANTED**.

The application was held abandoned on November 2, 2004, for failure to file a timely response to a restriction requirement September 29, 2004. The office action set a one month shortened statutory period. Accordingly, a Notice of Abandonment was mailed on June 3, 2005.

In the petition to withdraw the holding of abandonment under 37 CFR 1.181, petitioner asserts that in a telephone conversation between petitioner and the Examiner responsible for examining this application, the Examiner agreed to make the necessary

¹ Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).



Application No. 10/613,777

Page 2

elections and issue a first office action. Unfortunately however, the requirement for responding to communications mailed from the USPTO must be in writing as is required by 37 CFR 1.2. Petitioners are advised that in the absence of the restriction requirement not being withdrawn by the USPTO, then by law a response was required. The failure to file a response caused the application to become abandoned.

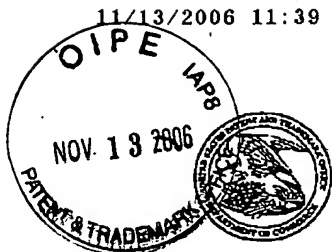
Applicants are not afforded an opportunity to withhold a written response to an office communication even based on a conversation and reliance upon that conversation with an office employee. In view thereof, the holding of abandonment will not be withdrawn.

With respect to the petition to revive, the petition fee in the amount of \$1500.00 has been charged to deposit account no. 19-1970.

All other requirements under 37 CFR 1.137(b) having been met, this matter is being referred to Technology Center 3723 for appropriate action on the election filed September 28, 2005.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/613,777	02/02/2004	3721	543	7066-1-CIP3-CON	15	7	7

CONFIRMATION NO. 6975

Brent P. Johnson
SHERIDAN ROSS P.C.
Suite 1200
1560 Broadway
Denver, CO 80202-5141

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SHERIDAN, ROSS

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John K. Lowther, Aurora, CO;

Assignment For Published Patent Application

Slide Sledge Technology, Inc.;

Domestic Priority data as claimed by applicant

This application is a CON of 10/192,544 07/09/2002
which is a CIP of 10/013,411 12/07/2001 PAT 6,474,198
which is a CIP of 09/677,497 10/02/2000 PAT 6,349,618
which is a CIP of 09/281,007 03/30/1999 PAT 6,125,719

Foreign Applications

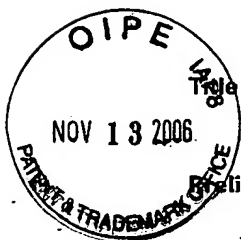
If Required, Foreign Filing License Granted: 03/01/2004

Projected Publication Date: 06/10/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **



Slide hammer

Preliminary Class

173

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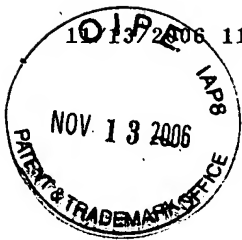


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Dear Sir/Madam,

This is to acknowledge receipt of your refund request for 10613777 in the amount of \$750.00.

Your request has been forwarded to the Technical Center Others for review and processing.

To inquire about the status of your refund request, please call 703 308-9010 x177.

Thank you,

Technical Center Others

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